IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 21131 of 2007(N)

PETITIONER:

G. RAMACHANDRAN, AGED 60 YEARS,
S/O. LATE GOVINDA KURUP, KOIPURATHU VEEDU,
PUNUKKANNOOR, PERUMPUZHA P.O.,KOLLAM. (RETD.KSRTC
SENIOR VEHICLE SUPERVISOR, KANIYAPURAM DEPOT).

BY ADV. SRI.H.HARIKUMAR (KOLLAM)

RESPONDENTS:
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1. KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM.

2. THE FINANCIAL ADVISOR AND
CHIEF ACCOUNTS OFFICER, TRANSPORT BHAVAN,
FORT P.O., THIRUVANANTHAPURAM.

3. ADMINISTRATIVE OFFICER (P.F.SECTION),
K.S.R.T.C. TRANSPORT BHAVAN, PORT P.O.,
THIRUVANANTHAPURAM.

4. THE ASSISTANT TRANSPORT OFFICE,
K.S.R.T.C., KANIAPURAM, THIRUVANANTHAPURAM.

BY ADV. SHRI K. PRABHAKARAN, SC, KSRTC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 21131 OF 2007 N

Dated this the 18th July, 2007

JUDGMENT

Petitioner retired on 29.2.2004 as is evident from Ext.P1. Petitioner claims payment of benefits due on retirement. Heard the learned standing counsel appearing for the respondent Corporation also. Counsel for respondent Corporation points out that the petitioner has taken loans. Of course, it is submitted that there is seniority being maintained pursuant to the Division Bench Judgment. But, petitioner points out Ext.P2 and also made reference to the complaint filed before the Lok Ayukta as Complaint No.3084/06. I think, petitioner has made out a case for deviation from seniority. The Writ Petition is disposed of as follows:

There will be a direction to the first respondent to disburse to the petitioner the entire amount due as Provident Fund with statutory interest from the due date till the date of payment, and also Staff Welfare Fund amount, within a period of ten weeks

from the date of production of a copy of this Judgment. There will be a further direction to the first respondent to disburse to the petitioner the entire amount due to him as DCRG or Commuted Value of Pension whichever is higher, less any amount liable to be deducted towards the loans taken by the petitioner from the Corporation, within a period of six weeks from the date of production of a copy of this Judgment.

K. M. JOSEPH, JUDGE

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